

Message Text

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TO AMEMBASSY BOGOTA
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FOR US MTN

E.O. 11652: N/A

TAGS: ETRD, MTN, CO, GATT

SUBJECT:RESTRICTION ON IMPORTATION OF HEAVY TRUCKS

REF: A.) BOGOTA 7429 B.) GENEVA 12499

1. EMBASSY SHOULD CONVEY TO GOC AT HIGHEST LEVEL EMBASSY
DEEMS APPROPRIATE US CONCERN OVER DISCRIMINATORY ASPECT
OF RECENT GOC IMPOSITION OF RESTRICTIONS ON IMPORT OF
ASSEMBLED HEAVY TRUCKS. EMBASSY PRESENTATIONS SHOULD
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BE SUPPORTED BY AIDE MEMOIRE AS FOLLOWS: QUOTE -
COMPLEMENTARY OPENING - THE UNITED STATES IS SERIOUSLY
CONCERNED AT THE RECENT ACTION OF THE GOVERNMENT OF
COLOMBIA WITH REGARD TO THE IMPOSITION OF RESTRICTIONS
ON THE IMPORT OF ASSEMBLED HEAVY TRUCKS FROM CERTAIN
COUNTRIES. THE UNITED STATES VIEWS THE RESTRICTIONS AS
UNJUSTIFIED AND DISCRIMINATORY AGAINST US EXPORT INTERESTS.

THE UNITED STATES CONSIDERS HEAVY TRUCKS AS AN ITEM OF CONSIDERABLE EXPORT INTEREST AND HAS, IN FACT, SOUGHT FROM COLOMBIA BOTH TARIFF AND NON-TARIFF LIBERALIZATION ON SUCH ITEMS IN THE COURSE OF THE MULTILATERAL TRADE NEGOTIATIONS IN GENEVA. WHILE SYMPATHETIC TO THE DESIRE OF THE GOVERNMENT OF COLUMBIA TO IMPROVE ITS INTERNATIONAL FINANCIAL POSITION, THE UNITED STATES REGARDS THE IMPOSITION OF DISCRIMINATORY IMPORT DUTIES OR RESTRIS AS

THE LEAST VIABLE METHOD OF SEEKING SUCH IMPROVEMENT. THE INTRODUCTION OF DISCRIMINATORY RESTRICTIVE TRADE MEASURES MAY IN FACT CONTRIBUTE TO EVEN GREATER DISTORTIONS AND IMBALANCES THAN THOSE THEY SEEK TO CORRECT. IN THE CASE OF US-COLOMBIAN TRADE, FOR EXAMPLE, WHEN CAPITAL FLOWS ARE INCLUDED, THE UNITED STATES SUFFERS A BALANCE OF PAYMENTS DEFICIT VIS-A-VIS COLOMBIA WHICH WILL BE FURTHER AGGRAVATED BY THE RECENT RESTRICTIONS.

2. THE UNITED STATES WOULD ALSO WISH TO POINT OUT THAT IN ITS DECLARATION OF PROVISIONAL ACCESSION TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE DATED, JULY 23, 1975, THE GOVERNMENT OF COLOMBIA AGREED TO APPLY PART II (ARTICLES III THROUGH XXIII) TO THE FULLEST EXTENT NOT INCONSISTENT WITH ITS LEGISLATION EXISTING ON THAT DATE. ARTICLE XI:1 PROVIDES THAT COLOMBIA MAY NOT IMPOSE QUANTITATIVE IMPORT RESTRICTIONS OTHER THAN THOSE LIMITED OFFICIAL USE

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MANDATORY UNDER LEGISLATION IN FORCE ON JULY 23, 1975, OR THOSE JUSTIFIED UNDER SOME OTHER GATT PROVISION. ARTICLE XIII REQUIRES THAT ANY PERMISSABLE QUANTITATIVE RESTRICTION BE APPLIED ON A NON-DISCRIMINATORY BASIS "AIMING...AT A DISTRIBUTION OF TRADE...APPROACHING AS CLOSELY AS POSSIBLE THE SHARE WHICH THE VARIOUS CONTRACTING PARTIES MIGHT BE EXPECTED TO OBTAIN IN THE ABSENCE OF SUCH RESTRICTIONS..." THE UNITED STATES BELIEVES THAT THE IMPOSITION OF QUANTITATIVE RESTRICTIONS ON THE IMPORTATION OF HEAVY TRUCKS VIOLATE COLOMBIA'S OBLIGATIONS UNDER ITS DECLARATION OF PROVISIONAL ACCESSION WITH RESPECT TO BOTH ARTICLES XI AND XIII. COMPLEMENTARY CLOSE. END QUOTE. CHRISTOPHER

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